

# WESTVIEW METROPOLITAN DISTRICT

## 2022 ANNUAL REPORT

Pursuant to §32-1-207(3)(c) and the Service Plan for the Westview Metropolitan District (the “**District**”), the District is required to provide an annual report to the Town of Frederick with regard to the following matters:

For the year ending December 31, 2022, the District makes the following report:

### **§32-1-207(3) Statutory Requirements**

**1. Boundary changes made.**

There were no changes to the District’s boundaries during the reporting year.

**2. Intergovernmental Agreements entered into or terminated with other governmental entities.**

The District did not enter into or terminate any Intergovernmental Agreements during the reporting year.

**3. Access information to obtain a copy of rules and regulations adopted by the board.**

The District’s Board did not adopt any rules and regulations, nor did they adopt a resolution imposing fees during the reporting period.

**4. A summary of litigation involving public improvements owned by the District.**

To our actual knowledge, based on review of the court records in Weld County, Colorado, and the Public Access to Court Electronic Records (PACER), there is no litigation involving the District’s public improvements as of December 31, 2022.

**5. The status of the construction of public improvements by the District.**

All public improvements have been constructed and conveyed to the appropriate entity for ownership and maintenance.

**6. A list of facilities or improvements constructed by the District that were conveyed or dedicated to the county or municipality.**

There were no facilities or improvements construction by the District that were dedicated to the City as of December 31, 2022. All public improvements have been constructed and conveyed to the appropriate entity for ownership and maintenance.

**7. The final assessed valuation of the District as of December 31<sup>st</sup> of the reporting year.**

The final 2022 assessed valuation is \$3,537,720.

**8. A copy of the current year's budget.**

A copy of the 2023 Budget is attached hereto as **Exhibit A**

**9. A copy of the audited financial statements, if required by the "Colorado Local Government Audit Law", part 6 of article 1 of title 29, or the application for exemption from audit, as applicable.**

The 2022 Audit is attached hereto as **Exhibit B**.

**10. Notice of any uncured defaults existing for more than ninety (90) days under any debt instrument of the District.**

The District is not aware of any uncured events of default existing for more than ninety (90) days under any debt instrument.

**11. Any inability of the District to pay its obligations as they come due under any obligation which continues beyond a ninety (90) day period.**

The District is not aware of any inability to pay its obligations as they come due, which continues beyond a ninety (90) day period.

**Service Plan Requirements**

**1. A narrative summary of the progress of the District in implementing its Service Plan for the report year.**

All public improvements have been constructed and conveyed to the appropriate entity for ownership and maintenance. The District has issued debt to repay the public improvements costs and will continue to retire its debt over time.

**2. Except when exemption from audit has been granted for the report year under the Local Government Audit Law, the audited financial statements of the District for the report year including a statement of financial condition (i.e., balance sheet) as of December 31 of the report year and the statement of operations (i.e., revenues and expenditures) for the report year. If exempt from audit, the District shall provide a copy of the Request for Exemption and the State's approval for the exemption.**

The District's 2022 Audit is attached hereto as **Exhibit B**.

- 3. Unless disclosed within a separate schedule to the financial statements, a summary of the capital expenditures incurred by the District in development of Public Improvements in the report year, as well as any Public Improvements proposed to be undertaken.**

A copy of the District's 2023 budget is attached hereto as **Exhibit A**.

- 4. Unless disclosed within a separate schedule to the financial statements, a summary of the financial obligations of the District at the end of the report year, including the amount of outstanding Debt, the amount and terms of any new Debt issued in the report year, the amount of payment or retirement of existing Debt of the District in the report year, the total assessed valuation of all taxable property of the District as of January 1 of the report year and the current mill levy of the District pledged to Debt retirement in the report year.**

A copy of the District's 2023 budget is attached hereto as **Exhibit A**. The assessed valuation for the District is: \$3,537,720.

- 5. The District's budget for the calendar year in which the annual report is submitted.**

A copy of the District's 2022 budget is attached hereto as **Exhibit A**.

- 6. A summary of the residential and commercial development in the District for the report year.**

The District did not construct any public improvements during the report year. All public improvements have been constructed and conveyed to the appropriate entity for ownership and maintenance.

- 7. A list of facilities and improvements constructed by the District that has been dedicated to and accepted by the City as of December 31 of the prior year.**

**All public improvements have been constructed and conveyed to the appropriate entity for ownership and maintenance.**

- 8. A summary of all fees, charges and assessments imposed by the District as of January 1<sup>st</sup> of the report year.**

The District did not implement any fees, charges and/or assessments during the report year.

- 9. Certification of the Board that no action, event or condition enumerated in Section 14.4 of the Town Land Use Code (Material Modification) has occurred in the report year, or certification that such event has occurred but that an amendment to the Service Plan that allows such event has been approved by**

**Town Board.**

The District did not enter into any activity, event or condition enumerated in Section 14.4 of the Town Land Use Code (Material Modification) during the report year.

**10. Intergovernmental Agreements with other governmental entities, either entered into or proposed as of December 31 of the prior year.**

The District did not enter into any Intergovernmental Agreements in 2022.

**11. Copies of the District's rules and regulations, and resolution imposing fees, if any, as of December 31 of the prior year.**

The District did not adopt any rules and regulations, nor did they adopt a resolution imposing fees during the reporting period.

**12. Boundary changes made or proposed to the District's boundaries as of December 31 of the prior year.**

There were no changes to the District's boundaries during the reporting period.

**13. Any inability of the District to pay their obligations as they come due, in accordance with the terms of such obligations, which continue behind a ninety (90) day period.**

The District is not aware of any inability to pay its obligations as they come due, which continues beyond a ninety (90) day period.

**14. A summary of any litigation which involves the District's public improvements as of December 31 of the prior year.**

To our actual knowledge, based on review of the court records in Weld County, Colorado, and the Public Access to Court Electronic Records (PACER), there is no litigation involving the District's public improvements as of December 31, 2022.

**15. The name, business address and telephone number of each member of the Board and its chief administrative officer and general counsel, together with the date, place and time of the regular meetings, if any, of the Board.**

**Directors:**

Kevin L. Wolf /President	2154 E. Commons Ave., Suite 2000, Centennial, CO 80122	303-858-1800
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Kacy Flemons/Assistant Secretary	2154 E. Commons Ave., Suite 2000, Centennial, CO 80122	303-858-1800
Vacant		
Vacant		
Vacant		

**General Counsel:**

Zachary P. White, Esq., Of Counsel  
Jon L. Wagner, Esq.  
WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law  
2154 E. Commons Ave., Suite 2000  
Centennial, CO 80122  
Phone: (303) 858-1800

**Meetings:**

Dates: July 4<sup>th</sup> and November 7<sup>th</sup>, 2023 at 10:00 a.m.  
Location: 701 5<sup>th</sup> Street, Frederick, Colorado 80530, and/or by telephone, electronic,  
or other means not including physical presence.

Respectfully submitted this 31<sup>st</sup> day of August, 2023.

**EXHIBIT A**  
**2023 Budget**

**EXHIBIT B**  
**2022 Audit**